

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Aprile Pilon et. al.

Serial No. : To be Assigned

Filed : August 25, 2003

Group Art Unit : 1647

Examiner : David S. Romeo

For: METHODS AND COMPOSITIONS FOR THE TREATMENT OF FIBROTIC
CONDITIONS AND IMPAIRED LUNG FUNCTION AND TO ENHANCE
LYMPHOCYTE PRODUCTION

Mail Stop New Application
Commissioner for Patents
P.O. Box 1450
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on:

Date: August 25, 2003

Signature: Henry J. Cittone
Henry J. Cittone

RENEWED PETITION TO MAKE SPECIAL

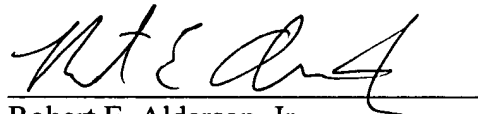
Sir:

Prior to examination of this application on the merits, Applicants hereby request
that the above-identified application be made special in accordance with 37 C.F.R. § 1.102(d) for
the reasons stated in the enclosed Petition to Make Special from the parent application, Ser. No.
09/949,926.

Respectfully submitted,

Date: August 25, 2003

By:



Robert E. Alderson, Jr.

Reg. No. 44,500

Attorney for Applicants

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Pilon et al.
Serial No. : 09/949,926
Filed : April 14, 2000
For : METHODS & COMPOSITIONS FOR THE TREATMENT OF
FIBROTIC CONDITIONS & IMPAIRED LUNG FUNCTION & TO
ENHANCE LYMPHOCYTE PRODUCTION
Group Art Unit : NOT YET ASSIGNED
Examiner : NOT YET ASSIGNED

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Assistant Commissioner for Patents
Washington, D.C. 20231, on June 28, 2000

Pamela C. Ancona, Reg. No. 41,494
Name of Applicant, Assignee or Registered
Representative
Pamela C. Ancona
Signature

June 28, 2000
Date of Signature

PETITION TO MAKE SPECIAL

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Prior to examination of this application on the merits, Applicants hereby request that the
above-identified application be made special in accordance with 37 C.F.R. § 1.102(d).

M.P.E.P. § 708.02 XII provides that Applicants who are small entities may request that their biotechnology application be granted "special" status upon the filing of a petition with the petition fee under 37 C.F.R. § 1.17(i). The petition must (a) state that small entity status has been established or include a statement establishing small entity status; (b) state that the subject of the patent application is a major asset of the small entity; and (c) state that the development of the technology will be significantly impaired if examination of the patent application is delayed, including an explanation of the basis for making the statement.

Therefore, in accordance with the foregoing requirements, small entity status has been established in this application, by virtue of the attached verified statement claiming small entity status, which was filed with the subject application on April 14, 2000. The small entity which is responsible for this application is Claragen, Inc. and the rights in and to the invention described in the instant application have been assigned to Claragen, Inc. by each of the inventors, as evidenced by the attached assignment (filed herewith).

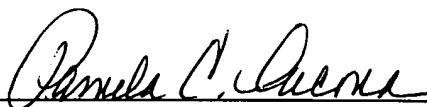
Further, the subject of the instant application, i.e., the use of human uteroglobin or recombinant human uteroglobin in the treatment of fibrotic conditions, to increase lymphocyte production *in vivo*, and to improve and/or normalize lung function, pulmonary compliance, blood oxygenation, and blood pH, is a major asset of the small entity, Claragen, Inc.

Finally, the development of the technology outlined in the instant application will be significantly impaired if examination of the patent application is delayed. In particular, Claragen needs the financial support of investors to develop the technology outlined in the instant application. However, in order to gain their support, Claragen must show that the technology is protected by an allowed or issued patent. Therefore, if the examination of this application is not expedited, the technology cannot be developed.

In view of the foregoing remarks and attachments, Applicants request that this application be granted "special" status in accordance with 37 C.F.R. § 1.102.

Respectfully submitted,

WHITMAN BREED ABBOTT & MORGAN, LLP
200 Park Avenue, New York, NY 10166
Attorneys for Applicants

A handwritten signature in cursive script, appearing to read "Pamela C. Ancona", is written over a horizontal line.

Barry Evans
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